

Town of East Hampton  
**Planning and Zoning Commission**  
**Regular Meeting**  
July 11, 2018 – 7:00 P.M.  
East Hampton Town Hall Meeting Room

**MINUTES**

1. Call to Order and Seating of Alternates:  
Vice-Chairman Zatorski called the meeting to order at 7:02 p.m.  
Present: Vice-Chairman Zatorski, Chairman Kuhr (arrived 7:07 p.m.) Regular Members, James Sennett, Roy Gauthier and Meg Wright. Alternate Members Michael Kowalczyk and Tim Puglielli were present as well as Planning and Zoning Official Jeremy DeCarli.  
Absent: Alternate Jason Jozefiak and Regular Member Rowland Rux.  
Vice-Chairman Zatorski seated Mr. Puglielli and Mr. Kowalczyk.
2. Approval of Minutes:
  - A. June 6, 2018 Regular Meeting – Mr. Sennett made a motion to approve the June 6, 2018 minutes as written. The motion was seconded by Ms. Wright.  
***Vote: 6-Yes; 0-No. The motion passed.***
3. Communications, Liaison Reports, and Public Comments:  
Communications: Mr. DeCarli presented a letter from Crown Castle and the CT Siting Council regarding cell tower upgrades at 94 High Street.  
Liaison Reports:  
Mr. Gauthier stated that the East Hampton High School Building Committee continues to meet regarding the blue water issue and they are working towards a resolution.  
Mr. Kowalczyk stated that he attended the River COG Regional Planning Committee meeting and shared the following: there was a referral from Cromwell in which they proposed the allowance of 5 story commercial buildings along 372 (west of Rte. 9). The Committee did not find any inter-municipal impacts. There was a second referral from Durham proposing single or re-occurring agricultural events in any zone. The Committee determined an inter-municipal impact because their proposition included all zones. They received an update on the Rte. 66 study. There was a public hearing about the study in Portland and in East Hampton. There is a new study starting on Rte. 81 (north of the Clinton railroad station). There was a discussion about finding an efficient way to create a new south route to connect the Essex transit system to the Middletown transit.  
Mr. Sennett stated that the Zoning Board of Appeals heard the following  
Application on July 9th: Application ZBA-18-005, Donald Tedford, 35 Colchester Ave., for a variance to increase the lot coverage from 10% to 11.4% to erect a 24' x 24' shed. Map 07A/Block 56/Lot 14-1. The variance was granted.  
Vice-Chairman Zatorski stated that the items from the Inland Wetlands and Watercourse Agency meeting will be address when the applications are discussed.  
Chairman Kuhr did not have anything to report.  
Ms. Wright did not have anything to report.  
Mr. Puglielli did not have anything to report.  
Chairman Kuhr asked for any public comments about anything that does not pertain to agenda items 5a or 5b. There were no comments.
4. Read Legal Notice for July 11, 2018: Not required.

5. Public Hearings for July 11, 2018:

- A. PZC-18-005 – Dean Brown – 26 Barton Hill, Amendment to Zoning Regulation: Section 8.4,I (B&B). Map 02A/Block 47/Lot 40.** Mr. Brown explained that he would like to be able to hold small outdoor events. He is proposing the expansion of the parking area to accommodate approximately 60 guests. All parking will be on the property within the fenced area. There will be a portable toilet brought in for the guests. He presented the members with a letter of support from his abutter. Mr. DeCarli presented the members with a letter from the office of the State Fire Marshal and the East Hampton Fire Marshal deeming the use unacceptable. Vice-Chairman stated that the current regulations are not site specific and that his concern is that this proposed amendment would be available town wide. He went on to add that he is concerned about the State Fire Marshal and local Fire Marshal not being in favor of the mixed use. Mr. Puglielli asked for clarification of the intent of the Amendment. A brief discussion followed. He went on to express his concerns about weather issues disrupting outdoor events therefore creating the potential for indoor events. Mr. DeCarli explained that if the regulation is changed, the applicant will have to request a provision. Mr. Sennett said he is concerned about this being acceptable in a residential zone. Chairman Kuhr asked for public comments at this time. GERALYN YOCHER of 9 North Cone spoke in favor of the application. MICHAEL CHICOINE of 56 North Maple asked if the town regulations regulate the number of people. TIM SMITH of 43 East High inquired about the regulations. There were no further comments. Vice-Chairman ZATORSKI made a motion to close the public hearing for PZC-18-005 – Dean Brown – 26 Barton Hill, Amendment to Zoning Regulation: Section 8.4,I (B&B). Map 02A/Block 47/Lot 40. The motion was seconded by Ms. Wright. **Vote: 7-Yes; 0-No. The motion passed.** Vice-Chairman ZATORSKI made a motion to deny application PZC-18-005 – Dean Brown 26 Barton Hill, Amendment to Zoning Regulation: Section 8.4,I (B&B). Map 02A/Block 47/Lot 40 for the following reasons: it has been deemed unacceptable by the office of the State Fire Marshal as stated in his letter dated May 22, 2018; it is not consistent with the uses of a Bed and Breakfast in the Connecticut State Building Code; it is not consistent with the residential nature of a Bed and Breakfast establishment; it is not within the character of a typical residential neighborhood where Bed & Breakfast establishments are allowed and it does not conform with the goals of the East Hampton Plan of Conservation and Development which encourages expanding commercial uses in commercial zones. Mr. Sennett seconded the motion. **Vote: 7-Yes; 0-No. The motion passed.**
- B. PZC-18-014 – Aaron Tyler, 13 North Main St., for a Special Permit for a Café, Sec.5.2.C. Map 01A/Block 39A/Lot 28B.** Mr. Tyler provided the members with a brief description of what he is proposing. He stated that there is no change to the plan and that he is still working with the Chatham Health District and trying to resolve the water issue as well. Mr. DeCarli informed the members that they are awaiting the approval from the State of CT DPH regarding the well. He added that revised drainage calculations have been received as well as a plan to install infiltration galleries and that Anchor Engineering has provided their review of the revised plan. All the above mentioned documents were provided to the members for review. Because the issues are still in the progress of being resolved, Mr. Tyler submitted a hand written request to continue his application to the next regularly scheduled meeting on August 1st (the request was read into the record). Chairman Kuhr asked if there were any comments from the public. There were none. Vice-Chairman ZATORSKI made a motion to continue the public hearing of PZC-18-014-Aaron Tyler, 13 North Main St., for a Special Permit for a Café, Sec.5.2.C Map 01A/Block 39A/Lot 28B to the next regularly scheduled meeting on August 1, 2018. The motion was seconded by Mr. Puglielli. **Vote: 7-Yes; 0-No. The motion passed.** Vice-Chairman ZATORSKI made a motion to continue the application of PZC-18-014 – Aaron Tyler, 13 North Main St., for a Special Permit for a Café, Sec.5.2.C. Map 01A/Block 39A/Lot

28B to the next regularly scheduled meeting on August 1, 2018. The motion was seconded by Ms. Wright. **Vote: 7-Yes; 0-No. The motion passed.**

6. New Business:

**A. PZC-18-016 – Paula Free -249 West High St.,** Special Permit Sec. 8.4 for a Motor Fuel Filling Station and Convenience Store, Sec. 8.4.A. Map 06/Block 12/Lot 1B. The applicant was not present to offer a description of the proposed project. Mr. DeCarli gave a brief overview of the project. He said that he sent the applicant a letter (dated June 27) with a list of requirements and has not received a response. Vice-Chairman Zatorski made a motion to deny the acceptance the application of PZC-18-016 – Paula Free-249 West High St., Special Permit Sec. 8.4 for a Motor Fuel Filling Station and Convenience Store, Sec. 8.4.A. Map 06/Block 12/Lot 1B until Items # 1-14 listed on the June 27<sup>th</sup> letter that Mr. DeCarli sent to the applicant are submitted to the satisfaction of Town Staff. The motion was seconded by Mr. Puglielli. **Vote: 7-Yes; 0-No.**

7. Old Business:

**A. Alcohol Regulations – Proposed amendments to Zoning Regulations Sec. 8.4.B Alcoholic Beverages.** Vice-Chairman Zatorski made a motion to continue Alcohol Regulations – Proposed amendments to Zoning Regulations Sec. 8.4.B Alcoholic Beverages to the next regularly scheduled meeting on August 1, 2018. The motion was seconded by Ms. Wright. **Vote: 7-Yes; 0-No. The motion passed.**

8. Planner’s Report: Mr. DeCarli reported the following: The Town Attorney has reviewed our signage regulations in the wake of the Supreme Court case Reed v Town of Gilbert and commented that Sec. C of our signage regulations is not in compliance with the Supreme Court ruling. NAPA has installed a sign on their building without permits, Dollar General signage application will be presented to the Design Review Board next week and then will come before Planning and Zoning, the Dublin will be submitting an application to add a deck to the front of the building and Rite Aid will be changing to Walgreens so they will be changing the sign. He made the members aware that the owner of The Black Walnut Artisan Bread Co. has not applied for any permits. Chairman Kuhr inquired about the status of the roads in Skyline Estates. There was no update.

9. Set Public Hearing(s) for August 1, 2018 – Public hearing was previously set for PZC-18-011 – Ryan Noir, Amendment to Zoning Regulation: Section 5.2.C.

10. Adjournment: Vice-Chairman Zatorski made a motion to adjourn at 8:26 p.m. The motion was seconded by Ms. Wright. The vote was unanimous in favor.

Respectfully submitted,

Christine Castonguay  
Recording Clerk